

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TRANS-SPEC TRUCK SERVICE, INC.
d/b/a TRUCK SERVICE,

Plaintiff

vs.

CATERPILLAR INC.

Defendant

CIVIL ACTION NO. 04-11836-RCL

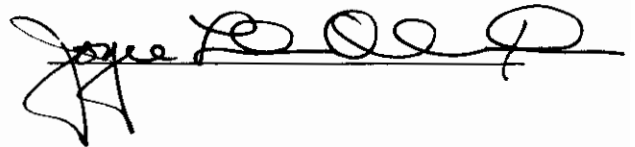
ORDER COMPELLING PRODUCTION OF DOCUMENTS

Upon motion of the defendant Caterpillar Inc., it is hereby ORDERED as follows:

1. The plaintiff Trans-Spec Truck Service, Inc. ("Trans-Spec") shall, within ten (10) days after the date of this order, produce all of the documents requested in ¶15 of Caterpillar Inc.'s First Request for Production of Documents by the Plaintiff. Such production shall be made in accordance with the following paragraphs of this order.
2. Trans-Spec may, at its option, transport the requested records (omitting any that Caterpillar may tell Trans-Spec in writing may be omitted) to a professional copyhouse for copying, have legible copies made there, provide one set of such copies to counsel for Caterpillar at his Boston office, and bill Caterpillar for the actual copyhouse charge for making the copies supplied to Caterpillar's counsel. Caterpillar shall promptly reimburse Trans-Spec for the actual copyhouse charge for making the copies supplied to it or, in the event the copyhouse bills defense counsel directly for the copying, shall promptly pay the bill.
3. Alternatively, Trans-Spec may, at its option, make the requested records available to Caterpillar's representatives and permit Caterpillar's representatives to transport the records (at Caterpillar's expense) to a professional copyhouse for copying, to have them copied at that copyhouse (at Caterpillar's expense), and to return the original records promptly upon completion of the copying to the location(s) on Trans-Spec's premises from which they were taken. Caterpillar shall make suitable arrangements with the copyhouse to have the original records returned to Trans-Spec in materially the same order and condition as they were found.

4. If Trans-Spec chooses the option set forth in ¶3 of this order, Trans-Spec may, if it chooses and at its own expense, have one or more of its employees or representatives accompany the documents produced in accordance with that paragraph as they are transported to and from the copyhouse by Caterpillar.
5. If Trans-Spec receives a request to inspect documents subject to this order from a special agent or authorized representative of the Federal Motor Carrier Safety Administration, and if the documents are in the possession of Caterpillar or the copyhouse selected by it at the time the request is received, Caterpillar shall return the original documents within 48 hours after being notified of the request by Trans-Spec (excluding Saturdays, Sundays, and federal holidays in computation of the 48 hours) to Trans-Spec's principal place of business at 7 Cristo Lane, Millbury, Massachusetts, or to such other location as may be specified by the special agent or authorized representative. *Provided, however*, that the 48 hour period specified in this paragraph may be enlarged if the date and time specified by the special agent or other authorized representative for his or her inspection of the records is more than 48 hours after the date and time the request is made, so long as the records are available for inspection by the special agent or other representative at the date and time requested. *Provided further* that Trans-Spec shall promptly inform Caterpillar's counsel in writing of the location to which the records are to be returned.

BY THE COURT,

A handwritten signature in black ink, appearing to read "Joseph P. Papp", written over a horizontal line.

DATED: 7/7/05